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NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

Documents of the Security Council (symbol S/ . . .) are normally published in quarterly *Supplements* of the *Official Records of the Security Council*. The date of the document indicates the supplement in which it appears or in which information about it is given.

The resolutions of the Security Council, numbered in accordance with a system adopted in 1964, are published in yearly volumes of *Resolutions and Decisions of the Security Council*. The new system, which has been applied retroactively to resolutions adopted before 1 January 1965, became fully operative on that date.

2454th MEETING

Held in New York on Wednesday, 15 June 1983, at 4 p.m.

President: Mr. Elleck Kufakunesu MASHINGAIDZE (Zimbabwe).

Present: The representatives of the following States: China, France, Guyana, Jordan, Malta, Netherlands, Nicaragua, Pakistan, Poland, Togo, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Zaire, Zimbabwe.

Provisional agenda (S/Agenda/2454)

1. Adoption of the agenda.

2. The situation in Cyprus: report of the Secretary-General on the United Nations operation in Cyprus (S/15812 and Add.1)

The meeting was called to order at 4.40 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in Cyprus: report of the Secretary-General on the United Nations operation in Cyprus (S/15812 and Add.1)

1. The PRESIDENT: In accordance with decisions taken at the 2453rd meeting, I invite the representatives of Cyprus, Greece and Turkey to take places at the Council table. I invite the representative of Canada to take the place reserved for him at the side of the Council chamber.

At the invitation of the President, Mr. Moushoutas (Cyprus), Mr. Dountas (Greece) and Mr. Kirca (Turkey) took places at the Council table; Mr. Pelletier (Canada) took the place reserved for him at the side of the Council chamber.

2. The PRESIDENT: The first speaker is the representative of Turkey, on whom I now call.

3. Mr. KIRCA (Turkey) (*interpretation from French*): I should like at the outset to congratulate you, Sir, on your assumption of the presidency of the Security Council for the month of June and also to compliment you on the impartiality with which you conducted consultations with the parties concerned before today's meetings. I should like also to take this opportunity to say how much the Government and people of Turkey, which to the best of their ability assisted Zimbabwe in the course of its independence struggle, are following with interest and sympathy that country's growth and development.

4. The Council is meeting today at a time when the question of Cyprus has just entered a delicate stage following the recent debate in the General Assembly and the adoption by that body on 13 May of its resolution 37/253, which Turkey and the Government of the Turkish community of Cyprus immediately rejected *in toto*. It is a time when each of us should reflect on the profoundly harmful effect which this unrealistic, unjust and futile exercise has had on the progress of the intercommunal negotiations.

5. The Turkish Cypriot community and Turkey are in no way responsible for this deplorable situation. They made it clear from the very outset that even if it were to be supposed that this exercise had taken place under the best conditions imaginable it could only have added to the considerable acrimony which already existed between the two communities and have caused a regrettable delay in the intercommunal negotiations. But the debate took place in an unprecedented atmosphere of a lack of realism, of bias, of lies and of injustice which bore out our apprehensions all too well.

6. First of all, it took place in conditions of inequality for the two communities. The General Assembly, forgetting that the intercommunal negotiations are taking place on the basis of equality in accordance with Security Council resolutions, and still clinging to the false and unfounded supposition of the existence of the Government of the Republic of Cyprus, persisted in its error by refusing to establish a procedure which would have given the Turkish Cypriot community the opportunity on an equal footing to explain and argue its point of view.

7. Secondly, the resolution adopted by the General Assembly after that debate marred by procedural shortcomings was nothing more than a flagrant denial of the recent history of Cyprus and a tacit—but none the less dangerous—justification of the violation of the most sacred principles which are supposed to govern civilized societies, such as the principle of the inviolability of international treaties, the principle of the supremacy of the rule of law and the principle of legitimate individual or collective self-defence. Furthermore, the text contradicted the provisions of the high-level agreements between the two communities. It could be used to attempt to destroy the political and legal basis of the good offices mission of the Secretary-General with which he was entrusted exclusively by Security Council resolutions and to set aside the mutually accepted framework and bases for these negotia-

tions being conducted under the auspices of the Secretary-General. But the height of injustice and unreality was attained when the text called upon all States to assist the Greek Cypriot administration, the usurper of the title of Government of Cyprus, to regain its so-called sovereignty over the territory inhabited almost exclusively by the Turkish Cypriot community. That would mean aiding a puppet army set up by trampling under foot the provisions of the Cypriot Constitution and the Treaty of Alliance[1] and the Treaty of Guarantee,[2] both of 1960, and manned and commanded by officers who were appointed from Greece by the Greek Government. If such a stupid undertaking were ever to come about, there would be no room for doubt that these fantastical adventurers would learn a painful lesson as they have in the past.

8. But the very fact that this inappropriate appeal appears in the text of the General Assembly resolution can only serve to heighten the vigilance of the Turkish Cypriot community and of Turkey. I therefore declare with all solemnity that Turkey will continue to protect the Turkish Cypriot community in that island where its members have lived for more than four centuries, and that the Turkish armed forces will remain there, standing firm, at the request of the Government of the Turkish Cypriot community until a definitive solution has been agreed to by all the interested parties, including the necessary security arrangements for that community.

9. Without question, that definitive solution should prohibit both union of the Republic of Cyprus with another State and its partition into two States.

10. The Greek side, particularly following the official release of the Secretary-General's "evaluation" paper of 18 November 1981, has systematically attempted to avoid detailed discussion of that document. As I have just stressed, the General Assembly resolution, unfortunately, contains provisions which tend to encourage it in this.

11. In this connection, I must recall once again that the Turkish Cypriot community and Turkey rejected that resolution and that the Greek side maintains its desperate pretense that this unjust, illogical and inappropriate text is the "verdict of the international community". It is merely a high-sounding but meaningless slogan to be added to the misleading literature on the subject. There is no such "verdict of the international community".

12. There is simply a recommendation which has been made by a body whose authority is well defined and can in no way supersede the sovereign rights of States. The recommendations of that body as such can of course be accepted or rejected by States. These recommendations may contribute to the preservation of peace and the settlement of international disputes only if they remain closely wedded to truth and all the general principles, without exception, of morality and law which form the basis of the Charter of the United Nations. But this text is far from meeting these criteria. As a recommendation that was totally rejected by the Turkish Cypriot community and Turkey, it has absolutely no value whatsoever and can in no way be taken into account during the intercommunal talks.

13. Hence the Greek side must harbour no hopes in this connection. If the Greek side, in violation of the mutually accepted framework of the intercommunal talks, continues to try to destroy that framework and to replace it by a one-sided and tendentious text, it will once again simply have succeeded in holding up the negotiations and the efforts at finding a definitive solution. That could provide the Greek side with a pretext for evading responsibility for such possible delay on the Turkish side. But all the delays which have been encountered during the negotiations are due to the express requests and the attitude of the Greek Cypriot side, and the same would be true this time. At any rate, the Greek side should not be so misguided as to believe that any of its manoeuvres can make the least impression on the Turkish side.

14. How in these circumstances can one continue to hope for success from the intercommunal talks? How can one still harbour the belief that these negotiations remain the best possible way of finding a definitive solution to a painful problem which has lasted too long?

15. Nevertheless, Mr. Nail Atalay, the representative of the Turkish Cypriot community, has just stated in the Council [*2453rd meeting*] that his Government continues to pin its hopes on these talks and does not intend to leave the negotiating table. For its part the Turkish Government supports and encourages it in this attitude. Why has the Turkish Cypriot community persisted in this stance and why has my Government encouraged it, despite the well-justified exasperation of the Turkish community of the island in the face of the manoeuvres of the Greek side and all the injustice it has suffered?

16. It must be confessed that this positive attitude of the Turkish side *vis-à-vis* the intercommunal talks stems not only from the traditional wisdom and the wealth of diplomatic experience which are some of the characteristics of the Turkish people, but also from the sagacity, perseverance, honesty and sense of realism of the Secretary-General.

17. Indeed, it is thanks to the Secretary-General's efforts that the Turkish side was able to rekindle its desire to support the intercommunal talks. My Government was gratified to note the Secretary-General's statements, in particular those in paragraphs 48, 49, 51 and 60 to 63 of his report, which is now before us. The Turkish Government believes that these statements provide sufficient reassurance for the Turkish Cypriot community to continue believing the intercommunal talks to be the best possible way of bringing about a definitive solution to the question of Cyprus.

18. In this connection I should like to state, for the benefit of the Greek Cypriot representative and at the request of the Turkish Cypriot representative, that it is not true that the Secretary-General or his Special Representative in Cyprus has requested a meeting of the negotiators of both communities in order to discuss the

Secretary-General's intention to increase his own personal participation.

19. As I informed the General Assembly on 12 May last, at the 120th meeting of the thirty-seventh session, at the express request of the Government of the Turkish Cypriot community, and as the representative of that community has just informed the Council, the Turkish Cypriot community is in the process of re-assessing its position in the light of the circumstances now prevailing as a result of the adoption of General Assembly resolution 37/253. This re-assessment has not yet been concluded. None the less, neither the fact that this re-assessment is continuing nor its results will in any way, as the representative of the Turkish Cypriot community has just stated, weaken the determination of this community to continue the intercommunal talks with the aim of arriving at a comprehensive agreement whose principles and objectives are defined in the high-level intercommunal agreements of 2 August 1975 [*see S/11789, annex*], 12 February 1977 [*see S/12323, para. 5*] and 19 May 1979 [*see S/13369, para. 51*] and in the opening statement of the Secretary-General of 9 August 1980 [*S/14100, annex*]—that is to say, a Republic of Cyprus that is independent, sovereign, bicommunal, bizonal, federal and, if it so chooses, non-aligned. For its part Turkey continues and will continue firmly to support these principles and objectives.

20. The Turkish Cypriot community's work of re-evaluation following the adoption of Assembly resolution 37/253 has not yet been concluded, as I just pointed out. Whatever the results of this re-evaluation, Turkey will respect the decisions which are democratically taken by the Turkish Cypriot community, while firmly supporting that community's desire to continue the intercommunal talks, since that desire will hardly be affected by any decisions stemming from this re-evaluation.

21. I have already made my basic comments on the Secretary-General's report. I should now like to make further comments on certain other passages in the report. My Government wishes to enter distinct reservations on some of the specific points taken up therein. In order not to abuse the Council's time, I shall raise them later with the Secretary-General himself. However, I cannot refrain from stating here and now that it is regrettable to see that the principle of equality of the two communities—an integral part of the constitution of the Republic of Cyprus—was not respected in the titles used to designate their officials. Furthermore, the administration of the Greek Cypriot community is designated as the Government of Cyprus, a capacity which that administration is not legitimately and legally eligible to claim.

22. Hence my first observation on the text of resolution 534 (1983), adopted by the Council at the previous meeting, is on the reference in the third preambular paragraph to the so-called "Government of Cyprus". For reasons which my Government has constantly reiterated, the leaders of the Greek Cypriot community are no more than usurpers of the title of "Government of Cyprus". The Republic of Cyprus was established by international treaty. Faithful to its international commitments, Turkey refuses to recognize their claim to that title, a title which in no way reflects the actual situation in which each of two distinct communal administrations governs its own community in its own zone, as envisaged in the Geneva Declaration of 30 July 1974 [*see S/11398*]. That is why the third preambular paragraph of the resolution remains unacceptable to Turkey.

23. I should also like to inform the Council of the fact that the various reservations entered by Turkey and its positions in connection with the texts referred to in this same resolution and in the Secretary-General's report have not at all changed and remain equally valid for the resolution that has been adopted today and for the Secretary-General's report now before us.

24. You will undoubtedly recall, Mr. President, that in the course of the consultations you were kind enough to conduct in this connection, my Government supported the point of view of the Government of the Turkish Cypriot community that the important events which have occurred since the conclusion of the high-level agreement of 1979 should be reflected in the text of the resolution.

25. First is the resumption of intercommunal negotiations that took place thanks to the Secretary-General's opening statement of 9 August 1980. That statement contains elements of considerable importance which at present constitute one of the foundations of those negotiations. The Turkish Government does not understand why any reference to that statement has been avoided. Nevertheless, my Government would like to reiterate its view that that statement continues to be one of the bases of those negotiations.

26. Furthermore, the presentation of the Secretary-General's "evaluation" of 18 November 1981 is in itself an event of singular importance which should have been referred to in the resolution.

27. The resolution extends the stationing of the United Nations Peace-keeping Force in Cyprus (UNFICYP) for a further period of six months. Since the representative of the Government of the Turkish community in Cyprus has just informed the Council of the assent of his authorities [*2453rd meeting*], the Turkish Government, for its part, also agrees to this extension. Nevertheless, I should like to draw the Council's attention to the request made by that representative, just as on several similar occasions before the Council, to the effect that the mandate of the Force, drawn up in 1964, should be revised and brought more into line with present conditions in Cyprus. The Turkish Government fully supports that request.

28. Finally, I should like to draw the Council's attention to the behaviour of certain Governments that provided contingents for the Force in the General Assembly at the time of the adoption of resolution 37/253. In the opinion of my Government, their behaviour is likely to cast serious doubts on the ability of the Force to fulfil its functions objectively and impartially. If those Govern-

ments do not reconsider and realize that the presence of their contingents in that United Nations Force necessarily implies that they are duty-bound to maintain total impartiality and equal distance between the two parties concerned, they must realize that their contribution can no longer be considered as serving the cause of peace and understanding in Cyprus. The Major-General who commands the United Nations Force in Cyprus still retains the confidence of my Government. Nevertheless, my Government believes it its duty and that of the Secretary-General to issue the necessary warnings to those Governments.

29. The PRESIDENT: The next speaker is the representative of Canada. I invite him to take a seat at the Council table and to make his statement.

30. Mr. PELLETIER (Canada): I should like, at the outset, Sir, to convey to you the best wishes of my delegation for the period during which you will be President of the Security Council. Our two countries have worked closely together and indeed share a common concern for the peaceful resolution of a stubborn and difficult problem which has just been the object of the Council's attention. I am particularly glad, therefore, of this opportunity to pay a public tribute to you and to your country for the well-deserved honour of presiding over affairs of this important body. I should like also, through you, to thank the members of the Security Council for having acceded to our request briefly to address the Council after the mandate of UNFICYP has been renewed.

[*The speaker continued in French.*]

31. My Government has already advised the Secretary-General that we are prepared to continue our commitment to UNFICYP for the mandate period which the Council has just approved. However, we wish to take this opportunity to place before the Council Canada's concerns over the unsatisfactory situation in regard to Cyprus. We believe that our record in this and other peace-keeping enterprises clearly demonstrates our determination to act consistently and responsibly in that cause, which is a key element in carrying out the important responsibility of the Organization to maintain international peace and security.

32. No one can dispute that the presence of the United Nations Force has prevented a recurrence of the intercommunal fighting and has contributed powefully to the restoration and maintenance of law and order. However, the primary objective of the Force mandate—to facilitate the achievement of a negotiated settlement and a return to peaceful conditions—has unfortunately eluded us for over 19 years.

33. The formation and maintenance of UNFICYP have provided the necessary stable conditions under which the peace-making process should have succeeded long ago. The United Nations has done all that is possible to create and maintain those conditions in Cyprus. Thus we must ask ourselves what has been the cause of failure.

34. My Government believes that the two communities of Cyprus and the other parties involved in the dispute have displayed a regrettable lack of will to make the necessary and admittedly difficult compromises required for a successful political settlement. We therefore call on those parties to enter serious and substantial discussions in a spirit of compromise and conciliation. Canada very much hopes that a clear indication of progress will be evident before the end of the mandate period just now approved.

35. As troop contributors to UNFICYP, we have remained neutral and impartial towards all aspects of the question of Cyprus, both within the United Nations and in our bilateral relations with the parties concerned. Canada continues to be willing to assist in the peace-keeping process but is anxious to ensure that there is tangible evidence that the complementary process of peace-making is progressing. Our patience and resources are not boundless.

36. We do not consider that the intercommunal differences can ever be resolved merely by a virtually atomatic extension of the UNFICYP mandate every six months. UNFICYP of itself cannot bring about a settlement of the problem. There must be a recommitment by the parties themselves to seek compromise through genuine negotiations intended to bring about a just and lasting solution. Unless there is a negotiated settlement, peace and stability will continue to elude the people of Cyprus.

37. It is against this background that I wish to reaffirm Canada's strong support for the Secretary-General in his efforts, as he phrased it in his report to the General Assembly last month,[3] to "give fresh impetus to the negotiating process" among the parties concerned. We very much hope that all interested countries will do likewise.

38. The PRESIDENT: The representative of Cyprus has asked to speak in exercise of his right of reply and I call on him.

39. Mr. MOUSHOUTAS (Cyprus): It is indeed with reluctance that I ask to speak. I am obliged, however, to do so in order to set the record straight and to defend my Government and people, all our people, irrespective of ethnic background, against the unsubstantiated charges levelled against them. I do so in the hope that if certain facts are made abundantly clear to the Council and the problem we face is seen in its right perspective, a positive contribution will be made to the efforts under way for a just and lasting solution.

40. As I did in previous Council meetings, I shall address my remarks only to the representative of Turkey. I do not intend to disregard, nor do I believe the members of the Council will disregard, the lengthy statement of the individual who was allowed to speak in his personal capacity under rule 39 of the provisional rules of procedure, only to abuse the privilege in order to complement the voice of the occupying Power in my country.

41. In spite of this statement, I feel that Turkey is the principal and that Turkey is the one which made both statements. For he who does things through others does them himself. I will disregard the implied reference as to the legality of my delegation. As I have said time and again, the fact that I address this body as the representative of a Member State of the United Nations under rule 37 is, I believe, a sufficient reply to this oft-repeated Turkish allegation.

42. As to the Turkish allegation about the legality of my Government and its reference to the Geneva Declaration, I should like to read the exact and full wording of the relevant part of the Geneva Declaration of 30 July 1974, upon which the Turkish representative relies. Let me remind the Council that that meeting took place 10 days after the onslaught upon our people and that the meeting was attended by the Ministers for Foreign Affairs of Greece, the United Kingdom and Turkey. The relevant part reads as follows:

> "Among the constitutional questions to be discussed should be that of an immediate return to constitutional legitimacy, the Vice-President assuming the functions provided for under the 1960 Constitution. The Ministers noted the existence in practice in the Republic of Cyprus of two autonomous administrations, that of the Greek Cypriot community and that of the Turkish Cypriot community." [*See S/11398, para. 5.*]

43. Let me say, first, that Cyprus was not represented at the Geneva meeting, nor was the lawful Government of the Republic consulted.

44. Secondly, in any event, the above quotation refers to "community administrations", which do not pre-empt the existence of the Government either at that time or thereafter.

45. Thirdly, the above quotation was part of a "cease-fire" arrangement made subject, under its article 2, to the undertaking that "the areas controlled by opposing armed forces on 30 July 1974 should not be extended". And I underline this. Turkey violated that condition on 14 August 1974 and proceeded to occupy almost 40 per cent of the area of the Republic. Turkey cannot now be expected to invoke a part of an arrangement which Turkey itself first violated and ignored.

46. Fourthly, the Geneva Declaration has no legal force whatsoever, was violated by Turkey on 14 August 1974 by the second round of the invasion, and has in any case been repeatedly superseded by subsequent events, declarations and resolutions.

47. Fifthly, the Republic of Cyprus and its Government have been consistently and exclusively recognized by the United Nations and all international organizations and in all international forums where the Government of the Republic of Cyprus is recognized, as the only representative of the Republic of Cyprus.

48. Sixthly, a host of resolutions have been adopted by the General Assembly and the Security Council recognizing the Cyprus Government, the latest of which are Security Council resolution 534 (1983) of today and General Assembly resolution 37/253.

49. It is very interesting to note that when the so-called Turkish Federated State of Cyprus was declared in February 1975 and recourse was had by my Government to the Security Council, the representative of the United Kingdom, Mr. Ivor Richard, said on 4 March 1975 in the Council that his delegation would like to make clear that as far as it was concerned, the declaration of a Turkish Federated State "does not alter our attitude towards the legitimate Government of Cyprus, nor towards our obligations under the 1960 Treaties" [*see 1818th meeting, para. 13*]. He said specifically, "There is only one legitimate Republic of Cyprus, and there is only one Government." [*Ibid.*]

50. The views of the Greek Government are well known to the members of the Council.

51. The second argument made by the representative of Turkey is that the Turkish Cypriot members of the Government were expelled. I must state that it was the Turkish Cypriot Vice-President, the three Ministers and Turkish Cypriot Members of Parliament who, acting upon instructions from Turkey, withdrew from the Government. They were not expelled. Why did they withdraw? The answer is obvious: upon instructions from Ankara, with the aim of destroying the Constitution and to further the partitionist goals of Turkey.

52. The Vice-President, Mr. Fazil Küçük, answered this question eloquently when he stated, as quoted in *The New York Times* of 31 December 1963, "The Cyprus Constitution is dead." He further stated, according to the special news bulletin of 5 January 1964: "It is out of the question to collaborate any longer with the Government." Where is the expulsion? Nowhere, I submit, but here is evidence of the purpose for their withdrawal, and I quote from the same bulletin: "Cyprus will be divided into two sections, one of which will join Turkey." That statement was made by the former Vice-President of Turkey, Kemal Satir, in 1964. From Mr. F. C. Erkin, the then Foreign Minister of Turkey, we have this most revealing statement in June 1964: "The radical solution would be to cede one part of Cyprus to Greece and the other closest to the Turkish Asiatic Coast to Turkey."

53. The Turkish representative spoke about equality and about partnership. Partnership is based on equity. Partnership does not mean the strangulation of democracy. We accept that each citizen has equal rights, equal opportunities, that he has the right to a vote and a right to have that vote counted. But numerical equality of a community in the executive, legislative and judicial branches we cannot accept. We cannot accept that 18 per cent equals 82 per cent. Such numerical equality strikes at the roots of democracy and causes inequality. By creating inequality we strike at the balance upon which a federal State is to be based.

54. The Turkish representative repeatedly referred to his favourite topic, *enosis*, but for every quotation the Turkish representative can present on *enosis* I can present one on *taqsim*—that is, partition—the aim of the Turkish Government in Cyprus.

55. There is, however, a difference between the two. While the Greek Cypriots were simply speaking about *enosis*, Turkey acted on its pronouncement. It is no secret that the right to self-determination claimed by the Cypriots during the colonial years was aiming at *enosis*. Nor can it be disputed that in 1960 Archbishop Makarios, at that time the protagonist for the right to self-determination and *enosis*, became the first President of the independent, sovereign State of Cyprus and that he subsequently fought three elections and won against candidates who had *enosis* as a platform, and most importantly that the *coup* against him in 1974 was caused because he was not pursuing *enosis*.

56. But what about today? There is an independent, sovereign and non-aligned State Member of the United Nations, and I assure members of the Council that it struggles to remain so. Its House of Representatives declared on 20 September 1979 and 2 October 1981 its immovable aim to achieve full independence and its rejection of any solution that would abolish that independence or call for any annexation of the territory of the Republic of Cyprus, in whole or in part, by any other State. It further stipulated its rejection of any partition or the declaration of any part of Cyprus as an independent State.

57. I have, I believe, covered the question of *enosis*. The question of partition is a matter for the Turkish Government to explain. The attempt by the Turkish representative to justify, in a United Nations era, the invasion of Cyprus under the provisions of the Treaty of Guarantee[2] is, to say the least, to be oblivious and completely disrespectful of the purposes and principles of the Charter of the United Nations, in particular Article 2, paragraph 4, which calls upon Member States to refrain from the use of force in their international relations. Turkey used the *coup d'état* of 15 July 1974 as a pretext to invade Cyprus, and the consequences of the invasion show that its actions were not those of a guarantor to restore constitutional order in Cyprus. It should be pointed out that article IV of the Treaty of Guarantee calls for the guaranteeing Powers to act jointly, and if this should not prove possible each guaranteeing Power has the right to "take action with the sole aim of re-establishing the state of affairs created by the . . . Treaty". That article does not refer to nor allow military action or use of armed force, as Turkey claims. If this were so, article IV of the Treaty of Guarantee would be contrary to Article 2, paragraph 4, of the Charter, which is the pre-emptory norm of international law, from which no derogation is allowed. It should be remembered that Article 103 of the Charter clearly states that obligations under the Charter shall prevail over obligations of a State under any other international agreement.

58. Of course Turkey did not invade with the sole aim of re-establishing the state of affairs created by the Treaty, but to destroy it. Under the Treaty of Guarantee, Turkey undertook to guarantee the constitutional order of Cyprus and nothing else. That this was not the aim of Turkey is proved by the fact that Turkey is not supporting a return to the 1960 constitutional order. Instead, even to this day, Turkey is advocating other constitutional orders.

59. As to the Turkish allegation that the invasion was carried out in order to protect the Turkish Cypriot community, I will simply say that Turkey has never been entrusted with the task of protecting the rights of any specific community or individual in Cyprus. It is only the *status quo* that Turkey has been protecting. None of the guarantors is the protector of any specific community.

60. We heard today an allegation by the Turkish representative that the invasion was for reasons of self-defence. The validity of that argument I leave to the judgement of Council members, considering that Cyprus is 100 times smaller than Turkey, the latter having one of the mightiest armies in the world. My Minister was absolutely right in making the statement in the 116th meeting of the thirty-seventh session of the General Assembly about Turkey's trying to devour little Cyprus.

61. The Turkish representative referred also to "a population exchange agreement", which the Turkish Cypriot leadership presents as a reason for its partitionist and colonization policies and as an excuse for not complying with the agreements of 12 February 1977 [*see S/12323, para. 5*] and 19 May 1979 [*see S/13369, para. 51*]. It would be ironic, indeed, for anyone to allege that the 200,000 Greek Cypriot refugees came to the free areas of the republic voluntarily. It was the invasion, it was the Turkish tanks and Turkish bayonets which forced one third of the population of Cyprus to abandon their ancestral homes and properties and seek refuge in the free areas of the Republic. How could the agreement of July-August 1975 [*see S/11789, annex*] be described as a "population exchange agreement" when in paragraph 2 it was stated that:

> "Mr. Denktaş reaffirmed, and it was agreed, that the Greek Cypriots at present in the north of the island are free to stay and that they will be given every help to lead a normal life, including facilities for education and for the practise of their religion, as well as medical care by their own doctors and freedom of movement in the north."

How could that agreement be defined as a "population exchange agreement" when in paragraph 5 it was stipulated that:

> "In connexion with the implementation of the above agreement priority will be given to the reunification of families, which may also involve the transfer of a number of Greek Cypriots, at present in the south, to the north"?

It also provided in paragraph 4 that "The United Nations will have free and normal access to Greek Cypriot villages and habitations in the north".

62. What was the outcome of that agreement? The Turkish side violated immediately each and every one of its provisions. A mere look at the periodical reports of the Secretary-General on the question of Cyprus will show everyone how the Turkish leadership honours its signature: the Greek Cypriots enclaved in the occupied area were forced to leave their homes to join the other Greek Cypriot refugees fleeing to the free areas of the Republic. Instead of help being given to them to lead a normal life, their plight became even more miserable. Their education was hampered, as was the practise of their religion. No medical care by their own doctors was allowed and their freedom of movement was hindered. As regards the freedom of movement of UNFICYP in the occupied areas, there has for nine years now appeared in every bi-annual report of the Secretary-General a special paragraph devoted to the restrictions imposed on UNFICYP.

63. The Turkish representative tried to represent the blem of Cyprus as a dispute between the two communities, and not one of invasion and occupation. If it were not one of invasion and occupation, which is an international problem, this subject would not have been debated today before this very Council.

64. The Turkish representative referred to oppression of the Turkish Cypriot community by the Cyprus Government. That allegation of oppression of the Turkish Cypriot community by the Cyprus Government is pure political propaganda, used in the past by Turkey to pave the way as a pre-emptive justification for the invasion, and it is now used to justify the continuation of the military occupation of territory of the Republic of Cyprus under the pretext of protecting the Turkish Cypriot community, as we heard today.

65. Now, what are the facts? For centuries, all Cypriots, whether Greeks, Turks, Armenians or Maronites, lived and worked side by side in peace and harmony, in mixed villages. This is proof of the security, safety and peaceful co-existence enjoyed by all, and of the historical links which were forged among them.

66. Never in the history of Cyprus prior to the 1955-to-1959 anti-colonial struggle were any clashes recorded between the two communities. It was Ankara's policies of segregation and partition, implemented by the extremist elements of the Turkish Cypriot leadership, that brought about the artificial barriers between the Greek and the Turkish communities. Ample evidence of this is provided by the regular bi-annual reports of then Secretary-General U Thant, which irrefutably show the falsehood of allegations of mistreatment of the Turkish Cypriot community by the Government of Cyprus. Here are quotations from two of these reports, the first dated 15 June 1964:

> "the lack of movement of Turkish Cypriots outside of their areas is also believed to be dictated by a political purpose, namely, to reinforce the claim that the two main communities of Cyprus cannot live peacefully together in the island without some sort of geographical separation." [*See S/5764, para. 113.*]

And from 10 June 1965:

> "the hardships suffered by the Turkish Cypriot population are the direct result of the leadership's self-isolation policy, imposed by force on the rank and file." [*See S/6426, para. 106.*]

67. The Turkish representative denied the existence in Cyprus of settlers, but there is undeniable evidence of this. The British newspaper *The Guardian* wrote on 18 October 1975 that

> "Migration of Turks to the northern Turkish-occupied part of Cyprus is taking place on a scale that will soon radically alter the racial balance of the island and could seriously affect the chances of a political solution."

The Turkish Government originally claimed that these settlers were "seasonal workers" brought to Cyprus to work in the fields. Mr. Caglayangil's statement of 27 October 1975, made during his tenure as Foreign Minister of Turkey, is a case in point. It is very strange that in an area where unemployment was about 25 per cent there was a need for the importation of agricultural help, especially as we know that most of the Turkish Cypriots are employed in the agricultural sector.

68. The revelations of the settler Colonel Ismail Tezer, who participated in the invasion and who is, incidentally, a leader of a Turkish Cypriot party, speak louder than any attempts of Turkey to conceal the truth. Colonel Tezer, in a press conference held on 17 December 1978, openly declared that the settlers came to Cyprus with the approval of Turkey, that they were represented as agricultural workers, and that almost all of them were made Cypriot citizens. These actions were deplored not only in United Nations resolutions and non-aligned declarations, but also by the Turkish Cypriots themselves. The former Vice-President of Cyprus, Mr. Küçük, wrote in *Halkin Sesi* on 24 May 1978 that these settlers had "turned this paradise island into Hell".

69. The representative of Turkey tried to justify the setting up of a central bank as being called for by the economic needs of the Turkish Cypriot community. The actions taken to establish a central bank and to introduce the Turkish lira to replace the Cyprus pound constitute a purely divisive policy of Ankara aimed at partitioning the occupied areas and at incorporating them with the mainland of Turkey. These illegal actions, which are economic in nature, are now added to the political, geographical and social efforts for separation in the island.

70. There is one central bank in each country, whether the system is unitary or federal. The creation of a second

central bank is, therefore, divisive and partitionist. The argument put forth today by the Turkish side that this central bank created by Turkey in the occupied areas of Cyprus does not have the main function of issuing money is meant to deceive, since at the same time Turkey introduced the Turkish lira in the occupied areas.

71. Regarding missing persons—a humanitarian matter completely separate from the political aspects of the problem of Cyprus—the questions which have been addressed to the Turkish Government emanate from the facts themselves. There are prisoners of war in the hands of Turkish troops; they were photographed by Turkish or foreign journalists. These people were not released when the exchange of prisoners of war took place.

72. There are cases of people whose names were on the official Turkish lists of prisoners of war but who were never released and whose existence has since that time been denied. There are cases where the names of people held in concentration camps in occupied Cyprus were on the lists of the International Committee of the Red Cross but who were also never released. There are people who, after they were captured, were heard on the clandestine Turkish Cypriot radio three weeks after the cease-fire and who continue to be missing. The claim that these people disappeared prior to the Turkish invasion of the island is baseless. If the Turkish side would agree to co-operate on this humanitarian problem, which, as I said before, is separate from the political aspects of the problem of Cyprus, then the full truth of the matter would be established. The fact that they refuse to permit appropriate international bodies to assist the Committee on Missing Persons in Cyprus speaks clearly of their motives.

73. I should like finally to refer to another matter raised by the Turkish side: the Turkish side wants to apply the right of self-determination to a community within a State, irrespective of and contrary to the wishes of a people as a whole and in utter violation of the unity and territorial integrity of a State. If by some stretch of the imagination it should ever be applied, it would dismember every State and nation on the face of this Earth, including Turkey. As to the territory targeted for the setting up of this fictitious state, I would remind the representative of Turkey that the Government of the Republic of Cyprus has full rights of *de jure* jurisdiction and control, as reconfirmed by General Assembly resolution 37/253.

74. The representative of Greece has asked to speak in exercise of the right of reply. I call on him.

75. Mr. DOUNTAS (Greece): I am fully aware that a speech at this late hour might prove to be counterproductive for the cause of the speaker, because even the most diligent Council member is labouring under exhaustion and sleepiness. I feel, however, compelled to take the risk and to appeal for the Council's attention for a few minutes.

76. In the first place, I would mention Mr. Atalay's speech this morning. I found striking similarities between that speech and the one delivered by the representative of Turkey, Mr. Kirca, in the 116th meeting of the General Assembly's thirty-seventh session, about four weeks ago: similarities of style, similarities of content—the same inaccuracies—and even similarities with regard to the length of the speech. That is why I will limit myself to referring to the reply I gave on that occasion, which is reflected in paragraphs 316 to 326 of the verbatim record of the 120th meeting.

77. There was only one point in Mr. Atalay's statement that I should like to mention more particularly. Terminating his speech in rhetorical euphoria, he said that history had borne witness to the many atrocities of the Greeks for centuries. I would submit that if I were a Turk, as is Mr. Atalay, I would have been more cautious when invoking history as a witness to atrocities and acts of genocide.

78. As to the statement of Mr. Kirca, I should like to express my surprise at the wealth of adjectives he found to characterize a recent resolution of the General Assembly, resolution 37/253. He said that that resolution is unrealistic, unjust, futile, irresponsible and so on. I leave it to the 103 countries that voted in favour of that resolution and to the 20 countries that abstained to judge the value of the courteous and flattering adjectives with which their position has been characterized.

79. I would make another point concerning Mr. Kirca's statement. He said that that resolution was null and void, and of absolutely no value since it had been rejected by the Turkish side. I would like to ask him if he is going to introduce a new amendment to the provisional rules of procedure and if he is trying to replace the rule of majority by the rule of unanimity. In my very humble view, resolutions adopted even by simple majority are valid *erga omnes*.

80. Finally I should like to refer to another statement of the Turkish representative. He said that the Turkish troops of occupation in Cyprus will remain as long as the problem is pending and until a solution is found. I take it that the talks envisaged by the Secretary-General will be conducted under the pressure of a foreign army, with all the freedom that such pressure implies. I leave it to the Secretary-General to evaluate that statement, which was made with the arrogance of the conqueror, within the context of his forthcoming initiative.

81. No matter what rhetorical phrases are going to be used, nobody can blur the obvious—namely, that in the Republic of Cyprus there is foreign occupation in flagrant violation of all international law. This sheer truth cannot be denied, no matter what firecrackers of phraseology one may use. And this occupation, which is an international anomaly, if continued will not help at all in any efforts towards finding a solution to the problem.

82. The PRESIDENT: I call on the representative of Turkey, who has asked to speak in exercise of the right of reply.

83. Mr. KIRCA (Turkey) (*interpretation from French*): I have not prepared a second statement, but I do want briefly to exercise my right of reply.

84. I note that the Greek representatives have an irreversible faith in the magic of words. They are blind to realities and have contempt for the truth. Most of their allegations, which they have just repeated, found suitable replies in my statement and in that of the representative of the Turkish Cypriot community. That is why I find it unnecessary again to make a detailed reply to them.

85. As for the reference to the 1960 Treaty of Guarantee and the application of its Article IV, that article did not oblige Turkey to consult with Greece before its intervention since, as has just been admitted by the representative of the Greek Cypriot community, Greece itself was the instigator of the *coup d'état* for union with Greece.

86. In addition, the Treaty of Guarantee guaranteed only the state of affairs created by the Basic Articles of the Cypriot Constitution. That Constitution and its Basic Articles were completely disregarded by the Greeks, which shows that even those Basic Articles were inadequate to guarantee and safeguard the state of affairs they created. This shows that in order to safeguard the same state of affairs we need bi-zonal and federal institutions. That is the whole purpose of the intercommunal talks.

87. One point concerning the Geneva Conference of 1974. It was my honour to be the Vice-Chairman of the Turkish delegation during that Conference. Mr. Glafcos Clerides, the Greek Cypriot representative, stated, when the Conference resumed with the participation of both communities, that his administration completely subscribed to the Geneva Declaration in question. All the provisions of that Declaration were violated by the Greek Cypriot administration, and that brought about the second intervention by Turkey, in 1974. Those who have violated an agreement are not entitled to declare it null and void.

88. As regards the reference to certain Turkish individuals, we must say that they are completely unfounded.

89. Mr. MOUSHOUTAS (Cyprus): In my statement I did not say that the *coup* aimed at *enosis*. As a matter of fact the "coup-ists", once they had established themselves, called for negotiations, for the continuation of the intercommunal talks.

90. Secondly, as to the accusation that we are not realists, well, we believe in justice and we believe in the Charter of the United Nations.

91. The PRESIDENT: There are no further speakers on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

Statement by the President

92. The PRESIDENT: As this is the last meeting of the Security Council to take place before the end of the period covered in the Council's annual report to the General Assembly, submitted in accordance with Article 24, paragraph 3, of the Charter, it has been agreed that I should place on record the fact that, since 21 December 1982, the Council has been engaged in consultations with all members in connection with the issues raised in the report of the Secretary-General on the work of the Organization, submitted to the thirty-seventh session of the General Assembly, during which members have explored possible ways and means for enhancing the effectiveness of the Council in accordance with the powers entrusted to it under the Charter. These far-ranging consultations are being pursued in private on a continuing basis, and the Council is exploring means of presenting an interim account of the progress of its work.

The meeting rose at 5.50 p.m.

NOTES

[1] Treaty of Alliance between the Kingdom of Greece, the Republic of Turkey and the Republic of Cyprus (United Nations, *Treaty Series*, vol. 397, No. 5712).

[2] *Ibid.*, vol. 382, No. 5475.

[3] A/37/805.

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